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STATE ENGINEER OFFICE
SANTA FE, N. M.

IN THE DISTRICT COURT OF RIO ARriba COUNTY

STATE OF NEW MEXICO

STATE OF NEW MEXICO on the
relation of S. E. REYNOLDS,
State Engineer,

Plaintiff

vs.

ROMAN ARAGON, et al.,

Defendants.

No. 8294

Sub-File No. 331

Chili Ditch

ORDER

THIS MATTER having come before the Court and after
having heard the testimony, considered the evidence, and
being fully advised in the premises, now finds:

1. Name of defendant: **ESPAÑOLA MERCANTILE COMPANY**
2. The parties hereto have accepted an Offer of Judgment concerning the defendant's rights; said Offer of Judgment is hereby approved.
3. The Court has jurisdiction of the parties and the subject matter herein.
4. State Engineer's hydrographic survey and report relating to the defendant's water rights have been introduced into the record and the same hereby are incorporated and made a part of this Order; that said hydrographic survey and report contain a true and correct summary of the contents of the instruments referred to therein.

5. The defendant **ESPAÑOLA MERCANTILE COMPANY**
has a right to withdraw public, surface and/or
underground waters from the Rio Chama Stream
System for irrigation purposes as follows:

State Engineer's File No. 0427

Priority: -- 182

Source of water: Surface waters of the Rio Chama

Point of Diversion: Through and by means of the Chili
Ditch diverted out of the South Bank of the Rio Chama,
located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Township 22 North,
Range 7 East, N.M.P.M., New Mexico Coordinate System,
Central Zone: X = 529,195 and Y = 1,863,370, Rio Arriba
County, New Mexico.

Location & Amount of Acreage: 1.76 acres irrigated
in part of S.H.C. 1499, Tract 1, in Section 36,
Township 22 North, Range 7 East, N.M.P.M., Rio Arriba
County, New Mexico, as shown on hydrographic survey
map sheet 18, tract 5.

Duty of water: Not to exceed three acre feet per
acre per annum delivered at the farm
head gate.

The defendant ESPANOLA MERCANTILE COMPANY
has no other surface/ground water irrigation rights
in the aforesaid section.

That the defendant ESPANOLA MERCANTILE COMPANY
their agents, employees, privies, co-tenants, tenants,
assigns, attorneys, and any and all other persons having
a constructive knowledge of the restraining Order should
be enjoined from any use of the surface/ground water
in the aforesaid section

for irrigation, except in strict accordance with the
water rights set out hereinabove.

IT IS, THEREFORE, ORDERED that the defendant, _____
ESPANOLA MERCANTILE COMPANY

be and hereby is adjudicated to have a good and valid water
right as set forth above.

IT IS FURTHER ORDERED that the defendant _____
ESPANOLA MERCANTILE COMPANY

their agents, employees, privies, co-tenants, tenants, assigns,
attorneys, and any and all other persons having constructive
knowledge of the restraining order, be and they hereby are,
enjoined from any use of the surface/ground water in
the aforesaid section

except in strict accordance with the water rights set out
hereinabove.

DATED, this 3rd day of April, 1963.

ORIGINAL
ENTERED

A TRUE COPY OF

J. M. SCARBOROUGH
DISTRICT JUDGE

1963
Lucia B. Montoya
CLERK

Sub-File No. 331

Ag. Hernandez, Deputy
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